

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nicole Beaulieu

Attorney Docket No.:
IGT1PS30/P-000576-001

Application No.: 10/073,598

Examiner: Mosser, Robert E.

Filed: February 11, 2002

Group: 3714

Title: AUTOMATED SELECTION OF VIDEO
GAMING OPTIONS

Confirmation No.: 5942

DECLARATION UNDER 37 CFR § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Nicole Beaulieu, declare as follows:

1. I am the inventor of the subject matter described and claimed in the above-identified patent application.
2. Prior to July 27, 2001, I conceived the idea of a gaming apparatus including a display unit, a value input device, and a controller coupled to the display unit and the value input device. The controller would include a processor and a memory. The controller would be programmed, as described and claimed in my patent application, to make an automated selection from among a plurality of user-selectable options in response to a request from a player, and according to the rules of a wagering game being played and according to a strategy to optimize the likelihood that the player would receive a value payout. Also, prior to July 27, 2001, I conceived the idea of a gaming method wherein, as described and claimed in my patent application, an automatic selection would be performed from among a plurality of user-selectable options in response to a request, and according to the rule of a wagering game being

played and according to a strategy to optimize the likelihood that a player would receive a value payout.

3. Prior to July 27, 2001, I prepared a written description of my invention entitled "Bonus Game Quick Pick". The description of my invention noted, among other things, that the "player may chose to let the machine select the bonus elements thinking that the device will select the elements representing the best possible outcome." The description of my invention also noted that my invention was originally "disclosed via email" and "originally documented" prior to July 27, 2001. (See attached Exhibit A). That original document was an entry (paragraph 3) in my patent lab book, (Exhibit B).

4. On April 3, 2001, the written description of my invention was sent to Marty Hirsch, Esq. of Marshall, O' Toole, Gerstein, Murray and Berun (Marshall O'Toole) by Lena T. Van Asdale, Associate General Counsel for IGT. Ms. Van Asdale asked Mr. Hirsch "to review and prepare a new patent application" on my invention. (Exhibit C). Receipt of Ms. Van Asdale's letter of April 3, 2001 was acknowledged my Mr. Hirsch on April 4, 2001. (Exhibit D). Also, on that date, a new matter intake form for my invention was prepared at Marshall O' Toole. (Exhibit E).

5. Subsequently, on April 16, 2001, Aaron M. Peters, an attorney at Marshall O'Toole, forwarded to me via Federal Express a copy of a sample IGT patent application. The purpose of this correspondence was to provide me with an idea of how a patent application is structured. (Exhibit F). Also, on April 16, 2001, Mr. Peters faxed to me a sample set of generic drawings. (Exhibit G).

6. Thereafter, on April 30, 2001, Mr. Peters faxed to me a couple of figures which might be included in my patent application. (Exhibit H).

7. On November 29, 2001, Mr. Peters forwarded to me an initial draft of my patent application, along with a document entitled "Patent Application Review Instructions". (Exhibit I).

8. This draft was also sent to Ms. Van Asdale by Mr. Peters on December 4, 2001. (Exhibit J).

9. Also, on December 4, 2001, I received an email from Kimberly A. DiMino of IGT, requesting that I mark my comments directly on the draft application and then send it back to Ms. Van Asdale and to Ms. DiMino for forwarding to outside counsel. (Exhibit K).

10. On December 5, 2001, I replied to Ms. DiMino's email, indicating that I would do my best to review the draft application over the weekend. (Exhibit L).

11. Subsequently, on December 19, 2001, I replied to another email from Ms. DiMino, indicating that I would review the initial draft of the application over the upcoming four day weekend. (Exhibit M).

12. On December 21, 2001, Ms. Van Asdale asked Mr. Peters for another copy of the draft application which was sent to me on November 29, 2001. (Exhibit N).

13. In response, a copy of the draft application was forwarded to Ms. Van Asdale by Mr. Peters on December 27, 2001. (Exhibit O).

14. Thereafter, I discussed the draft application with Mr. Peters on January 4, 2002. At that time, Mr. Peters indicated that he would revise the draft application based on my comments. (Exhibit P).

15. On January 8, 2002, a revised draft of my patent application was sent to me by Mr. Peters. (Exhibit Q).

16. Also, on that date, Mr. Peters forwarded to me an Assignment and Declaration for my patent application. (Exhibit R).

17. On January 14, 2002, Mr. Hirsch apparently sent a letter to Ms. Van Asdale, noting that a first draft of my patent application had been prepared and asking whether an Australian or PCT application should be filed prior to April 1, 2002. (Exhibit S).

18. On January 16, 2002, I received an email from Ms. DiMino asking whether I could come by and execute the formal papers for my patent application. (Exhibit T).

19. On January 17, 2002, I replied to Ms. DiMino's email stating that I would come by to execute the formal papers after I had again spoken with Mr. Peters. (Exhibit U).

20. On January 18, 2002, Mr. Peters forwarded to Ms. DiMino via Federal Express an Assignment for my patent application stating "that we are preparing to file a PCT Application based on the above-referenced U.S. Patent Application prior to April 1, 2002..." (Exhibit V).

21. The executed original Declaration and Assignment for my patent application was sent by Federal Express to Mr. Peters on February 1, 2002. (Exhibit W).

22. Thereafter, my application was filed in the U.S. Patent and Trademark Office on February 11, 2002. A copy of the filed application and formal papers were sent by Mr. Peters to Ms. Van Asdale and Ms. DiMino on February 12, 2002. (Exhibit X).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (under Section 1001 of Title 18 of the United States Code), and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Nicole Beaulieu

07/16/2009
Date